

Notice of Allowability	Application No.	Applicant(s)	
	10/691,777	LEE, HOWARD M.	
	Examiner	Art Unit	
	IGOR BORISSOV	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview Summary of 03/12/2010.
2. ☒ The allowed claim(s) is/are 3-8,11,12,14,16,18,20-24,44 and 89-125.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

/IGOR BORISSOV/
Primary Examiner, Art Unit 3628

Response to Amendment

Amendment received on 12/11/2009 is acknowledged and entered. Claims 25-41, 49-53, 60-63, 69-73 have been canceled. New claims 78-88 have been added. Claims 1-24, 42-48, 54-59, 64-68, 74-88 are currently pending in the application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative Krista A. Wittman (Reg. No.: 59,594) on Friday, March 12, 2010.

The application has been amended as follows:

IN THE CLAIMS

Claim 1 (cancelled).

Claim 2 (cancelled).

28 3. (currently amended) The apparatus method of ~~claim 2~~ claim
29 18, ~~further comprising: wherein at least one of the calibrated performance~~
30 score and the input are provided over a communication link, wherein the
31 ~~communication link can further comprises a satellite~~ network.

32 4. (currently amended) The apparatus method of ~~claim 4~~ claim
33 18, ~~wherein an analysis frequency applied to the agent's the interactions~~
34 ~~selected from the group consisting of at least once per day, more than~~
35 ~~once per day, and a statistically relevant sample size based on the~~
36 ~~requirements of~~ are based on an analysis frequency that is determined at
37 least one of arbitrarily and as requested by the business.

38 5. (currently amended) The apparatus method of ~~claim 4~~ claim
39 18, wherein at least one of the ~~agent's interactions per day~~ is analyzed for
40 quality of service for the agent per day.

1 6. (currently amended) The apparatus method of ~~claim 4~~ claim
2 18, ~~wherein the report data further comprises~~ comprising:
3 providing a data report with the calibrated performance score an
4 ~~agent performance element that could be performed even better.~~

1 7. (currently amended) The apparatus method of claim 6,
2 wherein the report data further comprises at least one of:
3 an agent performance element that could be improved; and
4 an agent performance element that was well performed.

1 8. (currently amended) The ~~apparatus~~ method of ~~claim 4~~ claim
2 6, wherein the report data further ~~comprises~~: comprises a training tip for
3 the agent based on analyzing the agent's interactions.

1 Claim 9 (cancelled).

1 Claim 10 (cancelled).

1 11. (currently amended) The ~~apparatus~~ method of ~~claim 4~~ claim
2 18, wherein ~~an interaction comprises a~~ the interactions comprise
3 telephone ~~[[call]]~~ calls.

1 12. (currently amended) The ~~apparatus~~ method of ~~claim 4~~ claim
2 18, wherein ~~an interaction comprises an email message~~ the interactions
3 comprise electronic messages.

1 Claim 13 (cancelled).

1 14. (currently amended) The ~~apparatus~~ method of ~~claim 4~~ claim
2 18, wherein the ~~first geographic area is~~ interactions occur in an area within
3 the United States of America and the ~~second geographic analysis of the~~
4 interactions occur in at least one of a different area within the United
5 States of America and an area that is external to the United States of
6 America.

1 Claim 15 (cancelled).

1 16. (currently amended) The ~~apparatus~~ method of ~~claim 4~~ claim
2 18, wherein the ~~first geographic~~ interactions occur in an area is France
3 ~~and the second geographic area is selected from the group consisting of~~
4 ~~Algeria, Rwanda, Senegal and Haiti~~ external to the United States of
5 America and the analysis of the interactions occur in at least one of a
6 different area external to the United States of America and an area within
7 the United States of America.

1 Claim 17 (cancelled).

1 18. (currently amended) A method for providing calibrated
2 evaluations of agent performance, wherein all steps are performed by a
3 computer, comprising:
4 ~~submitting a common replicate of an agent-customer interaction~~
5 providing interactions between an agent employed by a business and a
6 customer of the business to analysts for ~~scoring~~ assigning scores to a
7 performance of the agent during one of the interactions, wherein at least
8 one of the interactions is commonly provided to the analysts;
9 analyzing the performance scores provided by the analysts and
10 determining for each analyst, a total performance score for the commonly-
11 provided interaction via a scoring algorithm;
12 ~~receiving scores, the scores are produced by the analysts in~~
13 ~~response to the common replicate;~~

14 comparing each of the total performance scores associated with the
15 analysts with a standard score determined by another employee of the
16 business to identify a deviation between each of the total performance
17 scores;

18 providing feedback to each of the analysts, the feedback ~~includes~~
19 ~~each~~ comprising that analyst's deviation from ~~[[a]]~~ the standard score;

20 adjusting ~~each analyst's~~ for one or more analysts, a scoring criteria
21 in response to the feedback based on the associated deviation,
22 comprising:

23 ~~if each analyst's deviation from a standard score is not the~~
24 deviation associated with at least one of the analysts is not within an
25 acceptable range of deviation then repeat the submitting, ~~the receiving,~~
26 ~~and the providing,~~ analyzing, and comparing steps for that analyst; and

27 ~~if each analyst's deviation from the standard score is the~~
28 deviation associated with one or more of the analysts is within the
29 acceptable range then the at least one or more analysts are considered
30 calibrated analysts;

31 randomly sampling agent-customer the provided interactions
32 ~~between agents of a business and customers, for distributing to the~~
33 calibrated analysts, wherein the customer-agent interactions occur in a
34 first geographical area ~~and the sampling is facilitated with a computer~~
35 ~~system adapted to provide audio and data resulting from the agent-~~
36 ~~customer interactions; and analyzing the agent-customer interactions, the~~

37 ~~analyzing occurs~~ are analyzed in a second geographical area at a
38 ~~statistically relevant sampling interval~~ by the calibrated analysts to
39 produce a calibrated performance score based on a determination of
40 ~~quality of service~~ the performance rendered by the ~~agents~~ agent to the
41 ~~customers, a computer system adapted to display audio and data resulting~~
42 ~~from the agent-customer interactions is used by the calibrated analysts to~~
43 ~~facilitate the analyzing~~ at least one customer;
44 sending the calibrated performance score to the business and
45 transmitting input from the business, wherein the input is based on
46 feedback generated by the agent in response to the calibrated
47 performance score;
48 recalculating the standard score based on the input from the
49 business as a recalculated standard score, comprising:
50 if the deviations associated with one or more of the analysts
51 are not within an acceptable range of deviation from the recalculated
52 standard score then repeating the submitting, analyzing, and comparing
53 steps;
54 if the deviations associated with one or more of the analysts
55 are within the acceptable range of deviation from the recalculated score,
56 then the one or more analysts are considered recalibrated analysts.

1 Claim 19 (cancelled).

1 20. (currently amended) The method of claim 18, wherein the
2 acceptable range of deviation is established by the business.

1 21. (currently amended) The method of claim 18, wherein the
2 acceptable range is expressed as ~~[[a]]~~ the deviation between an individual
3 analyst's ~~agent-customer scores~~ calibrated performance scores.

1 22. (currently amended) The method of claim 21, wherein the
2 ~~deviation,~~ deviation is expressed as a percentage, ~~is selected from the~~
3 ~~group consisting of a user defined percentage, 0 to 5%, 5% to 10%, 10%~~
4 ~~to 15%, and above 15%~~ of deviation from the standard score.

1 23. (currently amended) The method of claim 18, wherein the
2 ~~common replicate~~ commonly-provided interaction and the acceptable
3 range of deviation are provided by an anonymous transaction simulation.

1 24. (currently amended) The method of claim 23, wherein the
2 anonymous transaction simulation is designed to test a parameter
3 selected from the group consisting of a particular category of a
4 transaction, a training update, and a unique customer interaction scenario.

1 Claims 25-43 (cancelled).

1 44. (currently amended) The method of ~~claim 42~~ claim 18,
2 wherein the ~~interaction consists~~ interactions each consist of at least one of
3 voice data and other data ~~associated with the interaction~~.

1 Claims 45-88 (cancelled).

1 89. (new) The method of claim 18, wherein wages in the second
2 geographic area are less than wages in the first geographical area to
3 generate wage attenuation.

1 90. (new) An apparatus for providing calibrated evaluations of
2 agent performance, comprising:

3 a communications network to provide interactions between an
4 agent employed by a business and a customer of the business to analysts
5 for assigning scores to a performance of the agent during one of the
6 interactions, wherein at least one of the interactions is commonly provided
7 to the analysts; and

8 a processor configured to:

9 analyze the performance scores provided by the analysts
10 and to determine for each analyst, a total performance score for the
11 commonly-provided interaction via a scoring algorithm;

12 compare each of the total performance scores associated
13 with the analysts with a standard score determined by another employee
14 of the business to identify a deviation between each of the total
15 performance scores;

16 provide feedback to each of the analysts, the feedback
17 comprising that analyst's deviation from the standard score;

18 adjust for one or more analysts, a scoring criteria in
19 response to the feedback based on the associated deviation, comprising if
20 the deviation associated with at least one of the analysts is not within an
21 acceptable range of deviation then repeat the submitting, analyzing and
22 comparing steps for that analyst, and if the deviation associated with one
23 or more of the analysts is within the acceptable range then the at least one
24 or more analysts are considered calibrated analysts;
25 randomly sample the provided interactions for distributing to
26 the calibrated analysts, wherein the interactions occur in a first
27 geographical area and the interactions are analyzed in a second
28 geographical area by the calibrated analysts to produce a calibrated
29 performance score based on a determination of the performance rendered
30 by the agent to the at least one customer;
31 send the calibrated performance score to the business and
32 transmitting input from the business, wherein the input is based on
33 feedback generated by the agent in response to the calibrated
34 performance score; and
35 recalculate the standard score based on the input from the
36 business as a recalculated standard score, comprising if the deviations
37 associated with one or more of the analysts are not within an acceptable
38 range of deviation from the recalculated standard score then repeating the
39 submitting, analyzing and comparing steps, and if the deviations
40 associated with one or more of the analysts are within the acceptable

41 range of deviation from the recalculated score, then the one or more
42 analysts are considered recalibrated analysts.

1 91. (new) The apparatus of claim 90, wherein at least one of the
2 calibrated performance score and the input are provided over a
3 communication network.

1 92. (new) The apparatus of claim 90, wherein the interactions
2 are based on an analysis frequency that is determined at least one of
3 arbitrarily and as requested by the business.

1 93. (new) The apparatus of claim 90, wherein at least one of the
2 interactions is analyzed for quality of service for the agent per day.

1 94. (new) The apparatus of claim 90, further comprising:
2 provide a data report with the calibrated performance score.

1 95. (new) The apparatus of claim 94, wherein the report data
2 further comprises at least one of:
3 an agent performance element that could be improved; and
4 an agent performance element that was well performed.

1 96. (new) The apparatus of claim 94, wherein the report data
2 further comprises a training tip for the agent based on analyzing the
3 agent's interactions.

1 97. (new) The apparatus of claim 90, wherein the interactions
2 comprise telephone calls.

1 98. (new) The apparatus of claim 90, wherein the interactions
2 comprise electronic messages.

1 99. (new) The apparatus of claim 90, wherein the interactions
2 occur in an area within the United States of America and the analysis of
3 the interactions occur in at least one of a different area within the United
4 States of America and an area that is external to the United States of
5 America.

1 100. (new) The apparatus of claim 90, wherein the interactions
2 occur in an area external to the United States of America and the analysis
3 of the interactions occur in at least one of a different area external to the
4 United States of America and an area within the United States of America.

1 101. (new) The apparatus of claim 90, wherein the acceptable
2 range of deviation is established by the business.

1 102. (new) The apparatus of claim 90, wherein the acceptable
2 range is expressed as the deviation between an individual analyst's
3 calibrated performance scores.

1 103. (new) The apparatus of claim 90, wherein the deviation is
2 expressed as a percentage of deviation from the standard score.

1 104. (new) The apparatus of claim 90, wherein the commonly-
2 provided interaction and the acceptable range of deviation are provided by
3 an anonymous transaction simulation.

1 105. (new) The apparatus of claim 90, wherein the anonymous
2 transaction simulation is designed to test a parameter selected from the
3 group consisting of a particular category of a transaction, a training
4 update, and a unique customer interaction scenario.

1 106. (new) The apparatus of claim 90, wherein wages in the
2 second geographic area are less than wages in the first geographical area
3 to generate wage attenuation.

1 107. (new) The apparatus of claim 90, wherein the interactions
2 each consist of at least one of voice data and other data.

1 108. (new) A non-transitory computer-readable storage medium
2 containing computer executable instructions stored therein, which when
3 executed by a computer, causing said computer to implement the method
4 for providing calibrated evaluations of agent performance, comprising:
5 providing interactions between an agent employed by a business
6 and a customer of the business to analysts for assigning scores to a
7 performance of the agent during one of the interactions, wherein at least
8 one of the interactions is commonly provided to the analysts;

9 analyzing the performance scores provided by the analysts and
10 determining for each analyst, a total performance score for the commonly-
11 provided interaction via a scoring algorithm;
12 comparing each of the total performance scores associated with the
13 analysts with a standard score determined by another employee of the
14 business to identify a deviation between each of the total performance
15 scores;
16 providing feedback to each of the analysts, the feedback
17 comprising that analyst's deviation from the standard score;
18 adjusting for one or more analysts, a scoring criteria in response to
19 the feedback based on the associated deviation, comprising:
20 if the deviation associated with at least one of the analysts is
21 not within an acceptable range of deviation then repeat the submitting,
22 analyzing, and comparing steps for that analyst; and
23 if the deviation associated with one or more of the analysts is
24 within the acceptable range then the at least one or more analysts are
25 considered calibrated analysts;
26 randomly sampling the provided interactions for distributing to the
27 calibrated analysts, wherein the interactions occur in a first geographical
28 area and the interactions are analyzed in a second geographical area by
29 the calibrated analysts to produce a calibrated performance score based
30 on a determination of the performance rendered by the agent to the at
31 least one customer;

32 sending the calibrated performance score to the business and
33 transmitting input from the business, wherein the input is based on
34 feedback generated by the agent in response to the calibrated
35 performance score;
36 recalculating the standard score based on the input from the
37 business as a recalculated standard score, comprising:
38 if the deviations associated with one or more of the analysts
39 are not within an acceptable range of deviation from the recalculated
40 standard score then repeating the submitting, analyzing, and comparing
41 steps;
42 if the deviations associated with one or more of the analysts
43 are within the acceptable range of deviation from the recalculated score,
44 then the one or more analysts are considered recalibrated analysts.

1 109. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein at least one of the calibrated performance
3 score and the input are provided over a communication network.

1 110. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the interactions are based on an analysis
3 frequency that is determined at least one of arbitrarily and as requested by
4 the business.

1 111. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein at least one of the interactions is analyzed
3 for quality of service for the agent per day.

1 112. (new) The non-transitory computer-readable storage
2 medium of claim 108, further comprising:
3 providing a data report with the calibrated performance score.

1 113. (new) The non-transitory computer-readable storage
2 medium of claim 112, wherein the report data further comprises at least
3 one of:
4 an agent performance element that could be improved; and
5 an agent performance element that was well performed.

1 114. (new) The non-transitory computer-readable storage
2 medium of claim 112, wherein the report data further comprises a training
3 tip for the agent based on analyzing the agent's interactions.

1 115. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the interactions comprise telephone calls.

1 116. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the interactions comprise electronic
3 messages.

1 117. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the interactions occur in an area within the
3 United States of America and the analysis of the interactions occur in at
4 least one of a different area within the United States of America and an
5 area that is external to the United States of America.

1 118. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the interactions occur in an area external to
3 the United States of America and the analysis of the interactions occur in
4 at least one of a different area external to the United States of America
5 and an area within the United States of America.

1 119. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the acceptable range of deviation is
3 established by the business.

1 120. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the acceptable range is expressed as the
3 deviation between an individual analyst's calibrated performance scores.

1 121. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the deviation is expressed as a percentage
3 of deviation from the standard score.

1 122. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the commonly-provided interaction and the
3 acceptable range of deviation are provided by an anonymous transaction
4 simulation.

1 123. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein the anonymous transaction simulation is
3 designed to test a parameter selected from the group consisting of a
4 particular category of a transaction, a training update, and a unique
5 customer interaction scenario.

1 124. (new) The non-transitory computer-readable storage
2 medium of claim 108, wherein wages in the second geographic area are
3 less than wages in the first geographical area to generate wage
4 attenuation.

125. (new) The non-transitory computer-readable storage medium of claim 108, wherein the interactions each consist of at least one of voice data and other data.

Allowable Subject Matter

Claims 3-8, 11-12, 14, 16, 18, 20-24, 44, 89-125 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 18, 90 and 108, the best prior art of record Eilbacher et al. (US 6,959,078) in view of and further in view of Jotkowitz (2003/0187725 A1) teaches a method, system and computer-readable medium having instruction embedded therein for causing a computer to implement said method, said method comprising: receiving a storable representation of an interaction between an agent of a business and customers wherein the business is located in a first geographic area; providing the storable representation to an analyst, in the second geographic area, to determine quality of service provided to a customer by the agent; generating report data associated with the calibrated determination of quality of service; wherein the performance of workers (call agents) is monitored and a report including calibrated results is provided (Figs. 3-7).

However, the combination of Eilbacher et al. and Jotkowitz fails to teach or make obvious alone or in combination with other prior art of record: analyzing the performance scores provided by the analysts and determining for each analyst, a total performance

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score for the commonly-provided interaction via a scoring algorithm; comparing each of the total performance scores associated with the analysts with a standard score determined by another employee of the business to identify a deviation between each of the total performance scores; providing feedback to each of the analysts, the feedback comprising that analyst's deviation from the standard score; adjusting for one or more analysts, a scoring criteria in response to the feedback based on the associated deviation, comprising: if the deviation associated with at least one of the analysts is not within an acceptable range of deviation then repeat the submitting, analyzing, and comparing steps for that analyst; and if the deviation associated with one or more of the analysts is within the acceptable range then the at least one or more analysts are considered calibrated analysts; randomly sampling the provided interactions for distributing to the calibrated analysts to produce a calibrated performance score based on a determination of the performance rendered by the agent to the least one customer; sending the calibrated performance score to the business and transmitting input from the business, wherein the input is based on feedback generated by the agent in response to the calibrated performance score; recalculating the standard score based on the input from the business as a recalculated standard score, comprising: if the deviations associated with one or more of the analysts are not within an acceptable range of deviation from the recalculated standard score then repeating the submitting, analyzing, and comparing steps; if the deviations associated with one or more of the analysts are within the acceptable range of deviation from the recalculated score, then the one or more analysts are considered recalibrated analysts.

The best non-patent literature, Garrido (Southeast Asia; Call it a boom: Philippine call centers; Internet printout; 4 pages; 04/22/2003), while teaching that said second geographic area is subject to a wage attenuator; and that wage attenuation is utilized to reduce a cost of analyzing the service call in the second geographic area relative to the cost of analyzing the call in the first geographic area (India and Philippine were discussed as the countries where local citizens are paid much less than workers doing

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same job in the USA), fails to teach or make obvious alone or in combination with other prior art of record: analyzing the performance scores provided by the analysts and determining for each analyst, a total performance score for the commonly-provided interaction via a scoring algorithm; comparing each of the total performance scores associated with the analysts with a standard score determined by another employee of the business to identify a deviation between each of the total performance scores; providing feedback to each of the analysts, the feedback comprising that analyst's deviation from the standard score; adjusting for one or more analysts, a scoring criteria in response to the feedback based on the associated deviation, comprising: if the deviation associated with at least one of the analysts is not within an acceptable range of deviation then repeat the submitting, analyzing, and comparing steps for that analyst; and if the deviation associated with one or more of the analysts is within the acceptable range then the at least one or more analysts are considered calibrated analysts; randomly sampling the provided interactions for distributing to the calibrated analysts to produce a calibrated performance score based on a determination of the performance rendered by the agent to the least one customer; sending the calibrated performance score to the business and transmitting input from the business, wherein the input is based on feedback generated by the agent in response to the calibrated performance score; recalculating the standard score based on the input from the business as a recalculated standard score, comprising: if the deviations associated with one or more of the analysts are not within an acceptable range of deviation from the recalculated standard score then repeating the submitting, analyzing, and comparing steps; if the deviations associated with one or more of the analysts are within the acceptable range of deviation from the recalculated score, then the one or more analysts are considered recalibrated analysts.

The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Igor N. Borissov/
Primary Examiner, Art Unit 3628
03/12/2010